

REMARKS

Claims 1-9 are all the claims pending in the application.

Claim Rejections

Claims 1-9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ito et al. (6,249,740). Applicants respectfully traverse this rejection because Ito fails to teach each and every element of the claimed invention.

Claims 1 and 3-6 set forth a communication unit which attempts to receive a drive route connecting the place of destination and the place of departure. When the communication unit attempts to receive the drive route connecting the places of destination and departure, but cannot receive all of the information, and instead receives part of the information, guiding is started on the basis of the received information. For example, a non-limiting embodiment of specification teaches that a only partial information may be received if the line is disconnected or there is insufficient storage capacity (*see* specification page 13, lines 4-16). Accordingly, a device consistent with claims 1 and 3-6 attempts to receive drive route information from the place of destination to the place of departure but cannot receive all of the information. The claimed invention sets forth a device capable of operating when all of the information sought cannot be received. When all of the information cannot be received, the claimed invention operates on the basis of information less than the information that it attempts to receive. Such a feature is absent from Ito. The Ito device is not designed to operate on the basis of partial information when all information cannot be received.

Additionally, the Examiner fails to show that Ito operates in the claimed manner. As noted by the Examiner, Ito is directed at receiving detailed information only near course-change

points. The Ito device receives less detailed information about the course at other points.

However, this does not indicate that Ito attempts to receive all of the information of a drive course, but cannot receive all the information. There is no indication that Ito attempts to receive a route connecting the departure and destination point, but cannot. The Ito device fails to address a situation in which it cannot receive all of the information it attempts to receive. Therefore, it does not disclose this feature of claims 1 and 3-6.

The Examiner also asserts that Ito discloses several other features which do not appear relevant to the claimed invention, and fail to correct the above-noted deficiency.

For example, the Examiner asserts that the course change point is only a part of the drive route from a departure to a destination point. Even if this is true, Ito still fails to teach a device which attempts to receive the drive route from the place of departure to the place of destination, cannot receive all the information, and instead starts guiding on the basis of partial information. That Ito has detailed information only near course change points and not along the entire route does not address the basic deficiencies noted above.

Additionally, the Examiner asserts that Ito teaches that the course change point which has just been passed through forms the starting point for displaying a map. Even if this were true, the map that Ito chooses to display is irrelevant to the information that Ito receives and attempts to receive. Even if Ito only displays a portion of a route, that is not an indication of what information has been received. Furthermore, the map display also is not relevant for correcting the above noted deficiencies of Ito with regard to the operation of a device when it cannot receive all of the information it attempts to receive.

Accordingly, in light of the above claims 1 and 3-6 are allowable at least because Ito fails to teach a communication unit which when it attempts to receive a drive route connecting a place of destination and the place of departure, but cannot receive all of the information, guides on the basis of the part of the information that is received.

Claims 2 and 7-9 depend from claim 1 and are therefore allowable at least because of their dependency.

Additionally, claim 2 sets forth a communication unit which transmits a request to acquire information of a drive route connecting an end of the drive route indicated by the received information to the place of destination. Ito fails to teach transmitting such a request. The Examiner cites column 2, lines 32-45 as teaching such a feature. However, this portion of the Ito patent is directed to the background of the invention, describes a feature which Ito characterizes as undesirable, and is not part of a device including the other features of Ito. Therefore, even if the feature taught in column 2, lines 32-45 could be considered as transmitting a request as set forth in claim 2, the feature would not be combined with the other alleged features of Ito. Furthermore, claim 2 does not read on the feature taught in column 2, lines 32-45. For example, claim 2 sets forth transmitting a request while guiding on the basis of the received information. In contrast, column 2, lines 32-45 of Ito teaches that route guidance is suspended. Therefore, any request is not transmitted while guiding is taking place, but instead after guiding has been suspended. Accordingly, claim 2 and its dependents are additionally allowable because Ito fails to teach transmitting a request as claimed.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 10/659,268

Q77341

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.



Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

 #41,574
Grant K. Rowan
Registration No. 41,278


Date: June 20, 2005